

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUSTIN M. ANEST,

Plaintiff,

v.

LT. CATHY DANIEL, CPL.
MAYGUARD, CAPT. THOMPSON,
SGT. MAGNUSON, OFFICER
BROWN, OFFICER WIDENER,
OFFICER MUMMOZ, CAPT.
KENNEDY, OFFICER MANSFIELD,
and CPL. WILSON,

Defendants.

NO. CV-06-221-RHW

ORDER DISMISSING COMPLAINT WITHOUT
PREJUDICE AND DIRECTING THAT
COLLECTION OF THE FILING FEE CEASE

BEFORE THE COURT is Plaintiff Justin M. Anest's Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a) (Ct. Rec. 18). Defendants have not been served in this action. Accordingly, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 18) is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

Plaintiff also filed a Motion to waive collection of the remaining balance of the filing fee in this action. For good cause shown, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 17) is **GRANTED** and the institution having custody of Mr. Anest shall cease collection of the filing fee in this action, cause number **CV-06-221-RHW**. **IT IS**

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND
DIRECTING THAT COLLECTION OF THE FILING FEE CEASE -- 1

1 **FURTHER ORDERED** all pending motions are **DENIED as moot**.

2 **IT IS SO ORDERED.** The District Court Executive is directed to
3 enter this Order, enter judgment of dismissal without prejudice,
4 forward a copy to Plaintiff and **close the file**. The District Court
5 Executive is further directed to send a copy of this Order to the
6 **Spokane County Jail, Attn: Jail Office Supervisor, W. 1100 Mallon,**
7 **Spokane, WA 99260**, to forward to the appropriate agency having
8 custody of Plaintiff. The District Court Executive also **shall provide**
9 a copy of this Order to the Financial Administrator for the United
10 States District Court, Eastern District of Washington.

11 **DATED** this 24th day of October 2006.

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13 *s/ Robert H. Whaley*

14 ROBERT H. WHALEY
15 CHIEF UNITED STATES DISTRICT JUDGE
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